

IV. REMARKS

In the above-referenced patent application, please enter the amendment and reconsider the application in view of that which is set forth below. It is believed that no new matter has been added.

All independent claims have been amended as indicated below, and it is therefore respectfully believed that the rejections are moot. Applicant also requests an Examiner interview prior to the next Office Action. The Examiner is invited to call the undersigned to schedule an interview.

The Examiner is respectfully requested to determine whether there might be provisional obviousness-type double patenting with respect to Applicant's co-pending applications Ser. Nos. 08/149,650 and 09/847,644. If such provisional double-patenting is determined in response to this request and in a manner that might prevent allowance, an opportunity to respond is also requested.

Claims 1-2, 8-25, and 27 have been rejected pursuant to 35 U.S.C Sec. 102(b). The Examiner contends that these claims are anticipated by Laurush, for reasons more precisely stated in the Office Action.

The rejection is respectfully traversed for reasons set forth below, but for other reasons, the claims have been amended, and it is believed that the rejection is moot. However, it is noted for the convenience of the Examiner that, as regards claims 1-2, 8-17, 25, and their dependents, Laurush does not teach or suggest ...printing... both a ship date and a deliver by date... nor is deliver by date capability disclosed or suggested.

With regard to claims 18 and its dependent claims, none of the claim elements is disclosed or suggested by Laurush

With regard to claim 21, Laurush does not disclose the claimed printing is facilitated by a TCP/IP communication....

With regard to claim 22, Laurush does not disclose the claimed component means for carrying out a shipment or the other particular means for requirements set forth in the claim and its dependents.

Claims 3-7, 26, and 28 have been rejected pursuant to 35 U.S.C. Sec. 103. The Examiner contends that these claims are obvious over Laurush in view of Bezos for reasons more precisely set forth in the Office Action.

As regards claims 3-7, and 28, the rejection is respectfully traversed for reasons set forth below, and also because all claim elements and a proper reason to combine the teachings has not been provided. However, for other reasons, the claims have been amended, and it is believed that the rejection is moot. For the convenience of the Examiner, it is noted that the independent claims have not been shown to be unpatentable over the cited art, and thus the dependent claims have not been shown unpatentable over the cited art.

With regard to one reason for traversal, and going forward, the Examiner makes several factual assertions that exceed the respective teachings of the reference(s) at issue, especially with regard to the prior art as regards what was well known. Because the factual assertions are not disclosed by the cited art, and Applicant respectfully challenges these assertions as not properly based on common knowledge. Consequently, under MPEP Sec. 2144.03(C), the Examiner is hereby respectfully required to support his factual assertions with evidence, such as an affidavit or declaration, or drop his contentions.

The application is believed to be in condition for allowance, and favorable action is requested. If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

APPLICANT CLAIMS LARGE ENTITY STATUS. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit

any overcharges to Deposit Account No. 50-0235, and if any extension of time is needed to reply to said office action, this shall be deemed a petition therefore.

Please direct all communication to the undersigned at the address given below.

Respectfully submitted,



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